

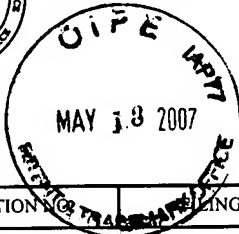
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,523	06/30/2006	Koji Seo	KAWA-1001US	3000

21302 7590 05/16/2007
KNOBLE, YOSHIDA & DUNLEAVY
EIGHT PENN CENTER
SUITE 1350, 1628 JOHN F KENNEDY BLVD
PHILADELPHIA, PA 19103

EXAMINER

SMITH, CHAD

ART UNIT PAPER NUMBER

2874

MAIL DATE DELIVERY MODE

05/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/541,523	Applicant(s) SEO ET AL.	
	Examiner Chad H. Smith	Art Unit 2874	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 1-8 and 12-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>7/28/06</u> | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2874

DETAILED ACTION

Election/Restrictions

Claims 1 – 8, and 12 – 20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected coated fiber, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on April 6, 2007.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claim 9 – 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Maroney et al. (U.S. Patent # 6,628,871 B2).

2. Regarding claim 9, Maroney et al. teaches a light transmitting method wherein a fiber fuse propagation threshold which is a minimal light output required for fiber fuse propagation is obtained and a transmitted light output is controlled so that the transmitted light output becomes smaller than the fiber fuse propagation threshold (col. 3, lines 11 – 28).

Art Unit: 2874

3. Regarding claim 10, Maroney et al. teaches an optical amplifier controlling method comprising the steps of: monitoring a branched small amount of output light from an optical amplifier (col. 5, line 34, col. 6, lines 21 – 25); comparing a monitored value with a preset fiber fuse propagation threshold (col. 3, lines 17 – 19, col. 6, lines 17 – 22); and when the monitored value is smaller than the fiber fuse propagation threshold, providing instructions to maintain or increase the output light of the optical amplifier and when the monitored value is equal to or larger than the fiber fuse propagation threshold, providing instructions to reduce the output light of the optical amplifier (col. 3, lines 20 – 50). Inherently, since the comparator is connected to a threshold generator for monitoring the optical power level, the optical power level has the ability to rise to the threshold level.

4. Regarding claim 11, Maroney et al. teaches wherein reducing of the output light of the optical amplifier is performed by reducing a light output of every wavelength of wavelength-division-multiplexed light by a small amount (col. 5, lines 47 – 61, col. 6, 30 – 32). Where the term signals represents WDM signals also as recited in the specification.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad H. Smith whose telephone number is (571) 270-1294. The examiner can normally be reached on Monday-Thursday 7:30a.m. - 5:00p.m. EST.

Art Unit: 2874

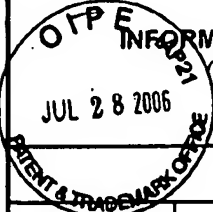
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on 571-270-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

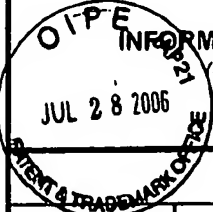
CHS



SUNG PAK
PRIMARY EXAMINER

 INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				ATTY DOCKET NO. KAWA-1001US		APPLICATION NO. 10/541,523		
				APPLICANT(S) SEO et al				
				FILING DATE July 7, 2005		GROUP ART UNIT UNKNOWN		
				U.S. PATENT DOCUMENTS				
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
U.S. PATENT APPLICATION PUBLICATIONS								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
/CS/	AA	JP 10-510104	9/29/1998	JP* English Abstract enclosed				
/CS/	AB	JP 4-170508	6/18/1992	JP* English Abstract enclosed				
/CS/	AC	JP 9-506980	7/8/1997	JP* English Abstract enclosed				
/CS/	AD	JP 2000-9971	1/14/2000	JP* English Abstract enclosed				
/CS/	AE	JP 10-10353	1/16/1998	JP* English Abstract enclosed				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
EXAMINER /Chad Smith/				DATE CONSIDERED 05/09/2007				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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				FILING July 7, 2005		GROUP ART UNKNOWN		
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U.S. PATENT APPLICATION PUBLICATIONS								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
/CS/	AF	JP 7-84159	3/31/1995	JP* English Abstract enclosed				
/CS/	AC	JP 4-301605	10/26/1992	JP* English Abstract enclosed				
/CS/	AH	62-49112	3/26/1987	JP* English Abstract enclosed				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
EXAMINER /Chad Smith/				DATE CONSIDERED 05/09/2007				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Notice of References Cited	Application/Control No. 10/541,523	Applicant(s)/Patent Under Reexamination SEO ET AL.	
	Examiner Chad H. Smith	Art Unit 2874	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,628,871 B2	09-2003	Maroney et al.	385/123
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.